

HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION,

Plaintiff,

v.

MOTOROLA, INC., et al.,

Defendants.

MOTOROLA MOBILITY, INC., et al.,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

No. C10-1823-JLR

MICROSOFT'S MOTION FOR LEAVE  
TO FILE SUPPLEMENTAL  
DECLARATION OF CHRISTOPHER  
WION IN SUPPORT OF MOTION FOR  
PARTIAL SUMMARY JUDGMENT  
**REDACTED**

**NOTED FOR:**  
**Friday, December 2, 2011**

Microsoft Corporation respectfully requests leave to file the Supplemental Declaration of Christopher Wion in Support of Microsoft's Motion for Partial Summary Judgment, a copy of which is attached hereto as Exhibit A.

The Supplemental Declaration attaches, as its sole exhibit, the Declaration of Jennifer Ochs, Director of IP Litigation at Marvell Semiconductor, Inc. (the "Ochs Declaration"). The

MOTION FOR LEAVE TO FILE  
SUPPLEMENTAL DECLARATION IN  
SUPPORT OF MOTION FOR PARTIAL  
SUMMARY JUDGMENT - 1

LAW OFFICES  
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SEATTLE, WASHINGTON 98104  
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Ochs Declaration was filed in an International Trade Commission action involving the parties  
1  
*(In the Matter of Certain Gaming and Entertainment Consoles, Related Software, and*  
2  
*Components Thereof*, Inv. No. 337-TA-752) on November 11, 2011. The Ochs Declaration  
3  
bears on the arguments Microsoft advanced at pages 13 through 20 of its Motion for Partial  
4  
Summary Judgment (ECF No. 77), and reflects events that had not fully transpired as of the  
5  
date briefing on Microsoft's motion closed (September 30, 2011).

7 DATED this 14<sup>th</sup> day of November, 2011.

8 DANIELSON HARRIGAN LEYH & TOLLEFSON LLP  
9

10 By /s/ Christopher Wion  
11 Arthur W. Harrigan, Jr., WSBA #1751  
12 Christopher Wion, WSBA #33207  
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Counsel for Microsoft Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on November 14, 2011, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

**Attorneys for Defendants Motorola Solutions, Inc., Motorola Mobility, Inc., and  
General Instrument Corporation**

Philip S. McCune  
Lynn M. Engle  
Summit Law Group

Steven Pepe  
Jesse J. Jenner  
Norman Beamer  
Paul M. Schoenhard  
Ropes & Gray

/s/ Linda Bledsoe  
LINDA BLEDSOE

**MOTION FOR LEAVE TO FILE  
SUPPLEMENTAL DECLARATION IN  
SUPPORT OF MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

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# EXHIBIT A

1 THE HONORABLE JAMES L. ROBART  
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9  
10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE WESTERN DISTRICT OF WASHINGTON  
12 AT SEATTLE  
13  
14

15 MICROSOFT CORPORATION,  
16    Plaintiff,  
17    vs.  
18 MOTOROLA, INC., et al.,  
19    Defendants.  
20  
21 MOTOROLA MOBILITY, INC., et al.,  
22    Plaintiffs,  
23    vs.  
24 MICROSOFT CORPORATION,  
25    Defendants.

Case No. C10-1823-JLR

SUPPLEMENTAL DECLARATION OF  
CHRISTOPHER WION IN SUPPORT  
OF MICROSOFT'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT

26 I, Christopher Wion, hereby declare under penalty of perjury under the laws of the State  
27 of Washington as follows:  
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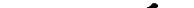
32 SUPPLEMENTAL DECLARATION OF  
33 CHRISTOPHER WION IN SUPPORT OF  
34 MICROSOFT'S MOTION FOR PARTIAL  
35 SUMMARY JUDGMENT - 1

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1. I am an attorney at the law firm of Danielson Harrigan Leyh & Tollefson LLP, counsel for Microsoft Corporation in the above-captioned matter, and have personal knowledge of the facts stated herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Declaration of Jennifer Ochs, Director of IP Litigation at Marvell Semiconductor, Inc. (the "Ochs Declaration"). The Ochs Declaration was filed in an International Trade Commission action involving the parties (*In the Matter of Certain Gaming and Entertainment Consoles, Related Software, and Components Thereof*, Inv. No. 337-TA-752) on November 11, 2011.

DATED this 14<sup>th</sup> day of November, 2011 in Seattle, Washington.

By   
Christopher Wion

**SUPPLEMENTAL DECLARATION OF  
CHRISTOPHER WION IN SUPPORT OF  
MICROSOFT'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT - 2**

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**EXHIBIT 1  
FILED  
UNDER SEAL**